STATE OF INDIANA
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
PUBLIC NOTICE NO. 20211004 INP000720 – D
DATE OF NOTICE: OCTOBER 4, 2021
DATE RESPONSE DUE: NOVEMBER 4, 2021

The Office of Water Quality proposes the following NPDES DRAFT PERMIT:

PRETREATMENT – NEW

WESTROCK CONVERTING LLC, Permit No. INP000720, DELAWARE COUNTY, 800A South Romy St., Eaton, IN. This industrial pretreatment facility will discharge 0.086 million gallons daily of sanitary, process and non-process wastewater to the Eaton POTW. Permit Manager: Trisha Williams, 317/234-8210, twilliam@idem.in.gov. Posted online at https://www.in.gov/idem/public-notices/.

PROCEDURES TO FILE A RESPONSE

Draft can be viewed or copied (10¢ per page) at IDEM/OWQ NPDES PS, 100 North Senate Avenue, (Rm 1203) Indianapolis, IN, 46204 (east end elevators) from 9 – 4, Mon - Fri, (except state holidays). A copy of the Draft Permit is on file at the local County Health Department. Please tell others you think would be interested in this matter. For your rights & responsibilities see: Public Notices: https://www.in.gov/idem/public-notices/; Citizen Guide: https://www.in.gov/idem/resources/citizens-guide-to-idem/. Please tell others whom you think would be interested in this matter.

Response Comments: The proposed decision to issue a permit is tentative. Interested persons are invited to submit written comments on the Draft permit. All comments must be postmarked no later than the Response Date noted to be considered in the decision to issue a Final permit. Deliver or mail all requests or comments to the attention of the Permit Writer at the above address, (mail code 65-42 PS).

To Request a Public Hearing:

Any person may request a Public Hearing. A written request must be submitted to the above address on or before the Response Date noted. The written request shall include: the name and address of the person making the request, the interest of the person making the request, persons represented by the person making the request, the reason for the request and the issues proposed for consideration at the Hearing. IDEM will determine whether to hold a Public Hearing based on the comments and the rationale for the request. Public Notice of such a Hearing will be published in at least one newspaper in the geographical area of the discharge and sent to anyone submitting written comments and/or making such request and whose name is on the mailing list at least 30 days prior to the Hearing.

INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
We Protect Hoosiers and Our Environment.
100 N. Senate Avenue • Indianapolis, IN 46204
(800) 451-6027 • (317) 232-8603 • www.idem.IN.gov

Eric J. Holcomb
Governor

Bruno Pigott
Commissioner

October 4, 2021

VIA ELECTRONIC MAIL

Ms. Carrie Andecover, EHS Manager
WestRock Converting LLC
800A South Romy Street
Eaton, IN 47338

Dear Ms. Andecover:

Re: IWP Permit No. INP000720
Draft Permit
WestRock Converting LLC
Eaton, IN – Delaware County

Your application and supporting documents have been reviewed and processed in accordance with rules adopted under 327 IAC 5. Enclosed is draft Industrial Wastewater Pretreatment Permit No. INP000720 which applies to the discharges associated with the paperboard manufacturing facility.

Pursuant to IC 13-15-5-1, IDEM will publish the draft permit document online at https://www.in.gov/idem/public-notices/. Additional information on public participation can be found in the "Citizens' Guide to IDEM", available at https://www.in.gov/idem/resources/citizens-guide-to-idem/. A 30-day comment period is available to solicit input from interested parties, including the public.

Please review this document carefully and become familiar with the proposed terms and conditions. Comments concerning the draft permit should be submitted in accordance with the procedure outlined in the enclosed public notice form. We suggest that you meet with us to discuss major concerns or objections you may have with the draft permit. If you have any questions concerning this proposed permit, please contact Trisha Williams at 317/234-8210 or twilliam@idem.in.gov.

Sincerely,

Nikki Gardner

Nikki Gardner, Chief
Industrial NPDES Permits Section
Office of Water Quality

Enclosures

cc: Delaware County Health Department
Chris Eaton, WestRock Converting LLC
Travis Hunt, Eaton POTW
Leigh Voss, IDEM
Nicholas Eilerman, IDEM
Andy Schmidt, IDEM

STATE OF INDIANA

DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
AUTHORIZATION TO DISCHARGE UNDER THE
INDUSTRIAL WASTEWATER PRETREATMENT PROGRAM

INDUSTRIAL WASTEWATER PRETREATMENT (IWP) PERMIT

In accordance with 327 IAC 5-21 and IDEM's permitting authority under IC 13-15, **WestRock Converting LLC** (hereinafter referred to as the permittee) is authorized to discharge, from the facility located at 800A South Romy Street, Eaton, Indiana, into the **Eaton Publicly Owned Treatment Works** (POTW), in accordance with the effluent limitations, monitoring requirements, and other conditions set forth in Parts I and II hereof.

EFFECTIVE DATE: _____

EXPIRATION DATE: _____

NOTE: In order to receive authorization to discharge beyond the date of expiration, the permittee must submit a renewal IWP permit application to the Industrial NPDES Permit Section in the Office of Water Quality, no later than one hundred and eighty (180) days prior to the date this permit expires. Failure to do so will result in expiration of the authorization to discharge.

Issued on _____ for the Indiana Department of Environmental Management.

Jerry Dittmer, Chief
Permits Branch
Office of Water Quality

PART I

(A) EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

(1) During the period beginning on the effective date of this permit, the permittee is authorized to discharge from Outfall 001[1][2]. Outfall 001 is located after Pond #3 just before discharging to the POTW. Such discharge shall be limited and monitored by the permittee as specified below:

Table 1

	Discharge Limitations			Monitoring Requirements	
Parameter	Daily Maximum	Monthly Average	Unit	Measurement Frequency [5]	Sample Type [4]
Flow [6]	0.22	0.057	MGD	5 X Weekly	24-Hr. Total
Oil & Grease	Report	Report	mg/l	1 X Weekly	Grab
TSS [8]	Report	Report	mg/l	5 X Weekly	Grab
$CBOD_5$ [8]	Report	Report	mg/l	5 X Weekly	Grab
Ammonia (as N) [8]	Report	Report	mg/l	5 X Weekly	Grab
Chloride	Report	Report	mg/l	5 X Weekly	Grab
Sulfate	Report	Report	mg/l	1 X Monthly	Grab
Fluoride	Report	Report	mg/l	5 X Weekly	Grab
Mercury [3]	Report	Report	ng/l	1 X Monthly	Grab
Boron	Report	Report	mg/l	1 X Monthly	Grab

Table 2

Parameter	Daily Minimum	Daily Maximum	Unit	Measurement Frequency	Sample Type
pH [7]	6.0 [8]	9.0 [8]	s.u.	5 X Weekly	Grab

[1] Outfall 001 shall be designated as process wastewaters and contains no dilution streams.

[2] The discharge shall not exceed the local limits in the Sewer Use Ordinance upon entering the POTW.

[3] All metals shall be analyzed as Total Recoverable Metals.

[4] A “24-hour composite sample” means a sample consisting of at least 3 individual flow-proportional samples of wastewater, consisting of aliquots withdrawn throughout the 24-hour discharge period. The aliquots may be: (i) uniform aliquots withdrawn at uniform flow intervals; (ii) flow-proportional aliquots withdrawn at uniform time intervals; or (iii) for batch discharge, uniform aliquots withdrawn from uniform batch volumes. A flow-proportioned composite sample may be obtained by:

(1) recording the discharge flow rate at the time each individual sample is taken,
(2) adding together the discharge flow rates recorded from each individuals sampling time to formulate the “total flow” value,
(3) the discharge flow rate of each individual sampling time is divided by the total flow value to determine its percentage of the total flow value,
(4) then multiply the volume of the total composite sample by each individual sample’s percentage to determine the volume of that individual sample which will be included in the total composite sample.

Grab samples will be allowed in lieu of 24-Hour Composites due to the brief nature of the discharge.

[5] In situations of intermittent or batch discharge, all parameters required to be monitored should be sampled during the first representative discharge occurring during the monitoring period and then reported on the appropriate state and federal forms at the end of the monitoring period.

If a representative discharge occurs at any time during the monitoring period as identified for that individual parameter, then it is a violation of this permit to not collect a sample and report those results. At the first opportunity that a representative discharge occurs during the monitoring period, it should be sampled for all the required parameters during that monitoring period. Waiting to collect a sample until the end of a monitoring period risks missing a representative sample collection opportunity, and it is considered a violation of this permit to not collect a sample, analyze and report those results, when there was a discharge for that monitoring period.

[6] Flow may be estimated by using the batch volume and number of discharges per day.

[7] If the permittee collects more than one grab sample on a given day for pH, the values shall not be averaged for reporting daily maximums or daily minimums. The permittee must report the individual minimum and the individual maximum pH value of any sample during the month on the Monthly Monitoring Report form.

[8] Based on local ordinance [Town of Eaton Ordinance No. 93-5 (adopted July 20, 1993)]. NOTE: Discharge of BOD_5 in excess of 220 mg/l, Total Suspended Solids (TSS) in excess of 220 mg/l, and Ammonia (as N) in excess of 25 mg/l may be subject to a local surcharge.

(2) ADDITIONAL DISCHARGE PROHIBITIONS

The permittee shall not allow the introduction of the following into the POTW from any location, including Outfall 001:

(a) A pollutant from any source of nondomestic wastewaters that could pass through or cause interference with the operation or performance of the POTW.

(b) A pollutant that could create a fire or explosion hazard in the POTW, including waste streams with a closed cup flashpoint of less than 140° F degrees Fahrenheit (60° C) using the test methods in 40 CFR 261.21.

(c) A pollutant that could cause corrosive structural damage to the POTW, including a discharge with pH lower than five (5.0), unless the POTW is specifically designed to accommodate such a discharge.

(d) A solid or viscous pollutant in an amount that could cause obstruction to the flow in a sewer or other interference with the operation of the POTW.

(e) A pollutant, including an oxygen demanding pollutant (such as biochemical oxygen demand) released in a discharge at a flow rate or pollutant concentration that could cause interference in the POTW.

(f) Heat in an amount that could:

(1) inhibit biological activity in the POTW and result in interference or damage to the POTW; or

(2) exceed 40° C or 104° F at the POTW treatment plant unless the commissioner, upon request of the POTW, approves alternate temperature limits.

(g) Petroleum, oil, non-biodegradable cutting oil, or products of mineral oil origin in an amount that could cause interference or pass through.

(h) A pollutant that could result in the presence of toxic gases, vapors, or fumes within the POTW in a quantity that may cause acute worker health and safety problems.

(i) A trucked or hauled pollutant, except:

(1) with the permission of the POTW; and

(2) when introduced to the POTW at a discharge point designated by the POTW.

(3) AFFIRMATIVE DEFENSE

The permittee shall have an affirmative defense in any action brought against the permittee alleging a violation of the prohibitions established in Part I.A.2 of this permit if the permittee can demonstrate that:

(a) it did not know or have reason to know that its discharge, alone or in conjunction with a discharge from another source, would cause pass through or interference; and

(b) a local limit designed to prevent pass through or interference in accordance with Part I.A.2 of this permit:

(1) was developed for each pollutant in the permittee's discharge that caused pass through or interference, and the permittee was in compliance with each such local limit directly prior to and during the pass-through or interference; or

(2) was not developed for the pollutant that caused the pass through or interference, and the permittee's discharge, directly prior to and during the pass through or interference, had not changed substantially in nature or constituents from its usual discharge condition when the POTW was regularly in compliance with the applicable:

(A) NPDES permit requirements; and

(B) requirements for sewage sludge use or disposal, in the case of interference.

(B) DEFINITIONS

(1) Daily Discharge

The total mass of a pollutant discharged during the calendar day or, in the case of a pollutant limited in terms other than mass pursuant to 327 IAC 5-2-11(e), the average concentration or other measurement of the pollutant specified over the calendar day or any twenty-four (24) hour period that reasonably represents the calendar day for the purposes of sampling.

(2) Daily Maximum (Discharge) Limitation

The maximum allowable daily discharge for any calendar day.

(3) Monthly Average Discharge (Average Monthly Discharge)

The total mass or flow-weighted concentration of all daily discharges sampled or measured during a calendar month on which daily discharges are sampled and measured, divided by the number of daily discharges sampled and/or measured during such month.

(4) Monthly Average (Discharge) Limitation

The highest allowable average monthly discharge for any calendar month.

(5) Interference

(a) "Interference" means a discharge that, alone or in conjunction with a discharge or discharges from other sources inhibits or disrupts the:

(1) treatment processes or operations;

(2) sludge processes; or

(3) selected sludge:

(A) use; or

(B) disposal methods;

of a POTW.

(b) The inhibition or disruption under subsection (a) must:

(1) cause a violation of a requirement of the POTW's NPDES permit, including an increase in the magnitude or duration of a violation; or

(2) prevent the use of the POTW's sewage sludge or its sludge disposal method selected in compliance with the following statutory provisions, regulations, or permits issued thereunder or more stringent state or local regulations:
(A) Section 405 of the Clean Water Act (33 U.S.C. 1345).

(B) The Solid Waste Disposal Act (SWDA) (42 U.S.C. 6901), including:

(i) Title II, more commonly referred to as the Resource Conservation and Recovery Act (RCRA); and

(ii) the rules contained in a state sludge management plan prepared pursuant to Subtitle D of the SWDA (42 U.S.C. 6941).

(C) The Clean Air Act (42 U.S.C. 7401).

(D) The Toxic Substances Control Act (15 U.S.C. 2601).

(6) Pass-through

"Pass through" means a discharge proceeding through a POTW into waters of the state in quantities or concentrations that, alone or in conjunction with a discharge or discharges from other sources, are a cause of a violation of any requirement of the POTW's NPDES permit, including an increase in the magnitude or duration of a violation.

(7) Pretreatment requirements

"Pretreatment requirements" means any substantive or procedural requirement related to pretreatment, other than a pretreatment standard, imposed on an industrial user.

(8) Pretreatment standards

"Pretreatment standards" means:

(a) state pretreatment standards as established in 327 IAC 5-18-8;

(b) pretreatment standards for prohibited discharges, as established in 327 IAC 5-18-2; and

(c) national categorical pretreatment standards incorporated by reference in 327 IAC 5-2-1.5.

(9) Publicly Owned Treatment Works ("POTW")

A treatment works as defined by Section 212(2) of the Clean Water Act owned by the State or a municipality (as defined by Section 502(4) of the Clean Water Act), except that it does not include pipes, sewers or other conveyances not connected to a facility providing treatment. The term includes any devices and systems used in the storage, treatment, recycling and reclamation of municipal sewage or compatible industrial wastes. The term also includes sewers, pipes, and other conveyances only if they convey wastewater to a POTW treatment plant. "POTW" also means the municipality , as defined in Section 502(4) of the Clean Water Act, that has jurisdiction over the indirect discharges to and the discharges from such a treatment works.

(C) MONITORING AND REPORTING

(1) Representative Sampling

Samples and measurements taken as required herein shall be representative of the volume and nature of the entire permitted discharge.

(2) Reporting

The permittee shall submit monitoring reports to the Indiana Department of Environmental Management and the City of Eaton containing results obtained during the previous month and shall be submitted no later than the 28th day of the month following each completed monitoring period. The first report shall be submitted by the 28th day of the month following the month in which this permit becomes effective. These reports shall include, but not necessarily be limited to, the Discharge Monitoring Report (DMR) and the Monthly Monitoring Report (MMR). All reports shall be submitted electronically by using the NetDMR application, upon registration, receipt of the NetDMR Subscriber Agreement, and IDEM approval of the proposed NetDMR Signatory. Access the NetDMR website (for initial registration and DMR/MMR submittal) via CDX at: https://cdx.epa.gov/.

If the City of Eaton is agreeable to receiving an electronic version of the monthly reports, copies can be sent to the City of Eaton via NetDMR. An acceptable email address for the City of Eaton must be provided to IDEM's Compliance Data Section. Any non-NetDMR reports sent to the City of Eaton shall be sent to the following:

Certified Operator
City of Eaton
600 East Harris Street
Eaton, IN 47338

The permittee shall also comply with the applicable reporting requirements of 40 CFR 403.12.

(3) Monitoring Results

Requirements for test procedures shall be as follows:

(a) Test procedures identified in 40 CFR 136 shall be utilized for pollutants or parameters listed in that part, unless an alternative test procedure has been approved under 40 CFR 136.5.

(b) Where no test procedure under 40 CFR 136 has been approved, analytical work shall be conducted in accordance with the most recently approved edition of “Standard Methods for the Examination of Water and Wastewater”, published by the American Public Health Association (APHA) or as otherwise specified by the commissioner in the IWP permit.

(c) Notwithstanding subdivision (a), the commissioner may specify in a permit the test procedure specified in a standard or effluent limitation guideline.

(4) Recording of the Monitoring Results

For each measurement or sample taken pursuant to the requirements of this permit, including the additional monitoring described under Part I(C)(5), below, the permittee shall maintain records of all monitoring information and monitoring activities, including:

(a) The date, exact place and time of sampling or measurement;

(b) The person(s) who performed the sampling or measurements;

(c) The date(s) analyses were performed;

(d) The person(s) who performed the analyses;

(e) The analytical techniques or methods used; and

(f) The results of such measurements and analyses.

(5) Additional Monitoring by Permittee

If the permittee monitors any pollutant at the location(s) designated herein more frequently than required by this permit, using approved analytical methods as specified above, the results of such monitoring shall be included in the calculation and reporting of the values required in the Monthly Monitoring Report and the Discharge Monitoring Report. Such increased frequency shall also be indicated.

(6) Records Retention

(a) All records of monitoring activities and results required by this permit (including all original strip chart recordings for continuous monitoring instrumentation and calibration and maintenance records) shall be retained at the permitted facility for a minimum of three (3) years. The three-year period shall be extended:

(1) automatically during the course of any unresolved litigation regarding the discharge of pollutants by the permittee or regarding promulgated effluent guidelines applicable to the permittee; or

(2) as requested by the commissioner.

(b) The permittee shall maintain and make available to IDEM, the regional administrator, and the City of Eaton personnel, records of disposal of all wastewater generated at the site. Such records shall include, but not be limited to, flow monitoring records, flow calibration records, and the volume and destination of all wastewater hauled off-site.

(7) Additional Reporting Requirements

(a) In accordance with 327 IAC 5-16-5(g), all categorical and noncategorical industrial users shall notify the POTW immediately of all discharges that could cause problems to the POTW, including any slug loadings as defined by 40 CFR 403.5(b).

(b) In accordance with 327 IAC 5-16-5(h)(2), if sampling performed by an industrial user indicates a violation, the industrial user shall notify the control authority within twenty-four (24) hours of becoming aware of the violation. The industrial user shall also repeat the sampling and analysis and submit the results of the repeat analysis to the control authority within thirty (30) days after becoming aware of the violation.

Where the control authority has performed the sampling and analysis in lieu of the industrial user, the control authority shall perform the repeat sampling and analysis unless it notifies the industrial user of the violation and requires the industrial user to perform the repeat analysis. Resampling is not required if the control authority performs sampling at the industrial user:

(1) at a frequency of at least once per month; or

(2) between the time when the initial sampling was conducted and the time when the industrial user or the control authority receives the results of this sampling.

(D) REOPENING CLAUSE

This permit shall be modified, or, alternatively, revoked and reissued, to comply with any applicable effluent limitation or standard issued or approved under Section 307(b) of the Clean Water Act, if the effluent limitation or standard so issued or approved:

(1) contains different conditions or is otherwise more stringent than any effluent limitation in the permit; or

(2) controls any pollutant not limited in the permit.

The permit, as modified or reissued under this paragraph, shall also contain any other requirements of the Act then applicable.

PART II

(A) RESPONSIBILITIES

(1) Duty to Comply

The permittee must comply with all terms and conditions of this permit. Any permit noncompliance constitutes a violation of the Clean Water Act (CWA) and the Environmental Management Act (EMA) and is grounds for:

(a) enforcement action;

(b) permit termination, revocation and reissuance, or modification; or

(c) denial of a permit renewal application.

A permittee may claim an affirmative defense to a permit violation, however, if the circumstances of the noncompliance meet the criteria of an upset as defined in Part II.A.7, the provisions of Part I.A.3, or any defense as provided by local ordinance.

(2) Right of Entry

The permittee shall allow the Commissioner of the Indiana Department of Environmental Management or the Commissioner's authorized representatives (including an authorized contractor acting as a representative of the Commissioner), upon the presentation of the credentials and such other documents as may be required by law:

(a) to enter upon the permittee's premises where a point source is located or where any records must be kept under the terms and conditions of this permit;

(b) to have access to and copy at reasonable times any records that must be kept under the terms and conditions of this permit;

(c) to inspect, at reasonable times:

(1) any monitoring equipment or method;

(2) any collection, treatment, pollution management, or discharge facilities; or

(3) practices required or otherwise regulated under the permit; and

(d) to sample or monitor, at reasonable times, any discharge of pollutants or internal wastestream (where necessary to ascertain the nature of a discharge of pollutants) for the purpose of evaluating compliance with the permit or as otherwise authorized.

(3) Change in Discharge

If the permittee intends to add a pollutant not limited by this permit or increase discharge of a pollutant limited by this permit, the permittee must notify the receiving POTW and apply for a permit modification from the commissioner prior to commencing discharge containing the additional pollutant. The application for permit modification must:

(a) be completed on a form prescribed by the commissioner;

(b) be signed in accordance with 327 IAC 5-2-22(a); and

(c) be submitted to the commissioner no later than 120 days prior to the date that the permittee intends to commence discharge containing the additional pollutant.

(4) Duty to Mitigate Adverse Impact

The permittee shall take all reasonable steps to minimize any adverse impact to the POTW or to waters of the State resulting from noncompliance with the IWP permit, including such accelerated or additional monitoring necessary to determine the nature and impact of the non-complying discharge.

(5) Noncompliance Notification

(a) If the permittee does not or will not be able to comply for any reason with any discharge limitation specified in this permit, the permittee shall provide the Indiana Department of Environmental Management and the City of Eaton with the following information in writing, within twenty-four (24) hours of becoming aware of the noncompliance.

(1) a description of the discharge and cause of noncompliance.

(2) the period of noncompliance, including exact dates and times of the noncomplying event and the anticipated time when the discharge will return to compliance.

(3) steps being taken to reduce, eliminate, and prevent recurrence of the noncomplying discharge.

The permittee may email the written notification of noncompliance to IDEM at wwreports@idem.in.gov.

(b) If the permittee has any unexpected, unintended, abnormal, or unapproved discharge from the facility into the POTW, the permittee shall comply with the spill reporting and response requirements contained in 327 IAC 2-6.1-7, including the requirement to report the discharge to IDEM and to the receiving POTW within two hours of discovery of the discharge.

(6) Spills, Reporting, Containment, and Response

Notwithstanding the permittee's obligations under Part II.A.5 of this permit, the permittee shall comply with the spill reporting, containment, and response requirements in accordance with 327 IAC 2-6.1, as applicable.

(7) Upset

(a) "Upset" means an exceptional incident in which there is unintentional and temporary noncompliance with any pretreatment standards or requirements in 327 IAC 5-2 because of factors beyond the reasonable control of the permittee. An upset does not include:

(1) noncompliance to the extent caused by operational error;

(2) improperly designed treatment facilities;

(3) inadequate treatment facilities;

(4) lack of preventive maintenance; or

(5) careless or improper operation.

(b) An upset shall constitute an affirmative defense to an action brought for noncompliance with the pretreatment standards or requirements if the requirements of subsection (c) are met.

(c) In order to establish an affirmative defense of upset, the permittee must provide properly signed, contemporaneous operating logs, or other relevant evidence of the following facts:

(1) An upset occurred and the permittee can identify the cause of the upset.

(2) The facility was being operated at the time in a prudent and workmanlike manner and in compliance with applicable operation and maintenance procedures.

(3) The permittee submitted a report, to the POTW and control authority, within twenty-four (24) hours of becoming aware of the upset or within five (5) days, if an initial verbal report of the information is given to the required authority, and the report contained the following information:

(A) A description of the indirect discharge and cause of noncompliance.

(B) The period of noncompliance, including exact dates and times or the anticipated time the noncompliance is expected to continue if it is not corrected.

(C) Steps being taken or planned for reducing, eliminating, and preventing recurrence of the noncompliance.

(d) In any enforcement proceeding, the permittee seeking to establish the occurrence of an upset shall have the burden of proof.

(e) In the usual exercise of prosecutorial discretion, the control authority may review any claims that noncompliance was caused by an upset. No determinations made in the course of the review constitute the commissioner's final action subject to judicial review. The permittee will have the opportunity for a judicial determination on any claim of upset only in an enforcement action brought for noncompliance with the pretreatment standards or requirements.

(f) The permittee shall control production or all discharges to the extent necessary to maintain compliance with the pretreatment standards or requirements upon reduction, loss, or failure of its treatment facility until the facility is restored or an alternative method of treatment is provided. This requirement applies when, among other things, the primary source of power of the treatment facility is reduced, is lost, or has failed.

(8) Bypass

(a) The following definitions apply throughout this permit:

(1) "Bypass" means the intentional diversion of waste streams from any portion of a permittee's treatment facility.

(2) "Severe property damage" means substantial physical damage to property, damage to the treatment facilities that causes them to become inoperable, or substantial and permanent loss of natural resources that can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production.

(b) The permittee may allow a bypass to occur if:

(1) it does not cause a violation of any pretreatment standard or requirement including discharge limitations contained in this permit; and

(2) it is for essential maintenance to assure efficient operation. These bypasses are not subject to the provisions of Part II.A.8(c) and Part II.A.8(d) of this permit.

(c) The reporting requirements for a bypass are as follows:

(1) If the permittee knows in advance of the need for a bypass, it shall submit prior notice to the control authority, if possible, at least ten (10) days before the date of the bypass.

(2) If an unanticipated bypass exceeds a pretreatment standard or requirement including discharge limitations contained in this permit, the permittee shall give oral notice to the control authority within twenty-four (24) hours from the time the permittee becomes aware of the bypass. A written submission shall also be provided to IDEM within five (5) days of the time the permittee becomes aware of the bypass. The written submission must contain the following:

(A) A description of the bypass and its cause.

(B) The duration of the bypass, including exact dates and times and the anticipated time it is expected to continue if the bypass has not been corrected.

(C) The steps taken or planned to reduce, eliminate, and prevent reoccurrence of the bypass.

(d) Bypass is prohibited, and an enforcement action may be taken against the permittee for a bypass unless the following are demonstrated:

(1) The bypass was unavoidable to prevent loss of life, personal injury, or severe property damage.

(2) There were no feasible alternatives to the bypass, such as any of the following:

(A) The use of auxiliary treatment facilities.

(B) Retention of untreated wastes.

(C) Maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass that occurred during normal periods of equipment downtime or preventative maintenance.

(3) The permittee submitted notices as required under Part II.A.8(c).

(4) A planned bypass is approved in advance by IDEM after determining that the bypass will not violate Part II.A.8(d)(1) through (3).

(9) Facilities Operation and Maintenance

The permittee shall at all times maintain in good working order and efficiently operate all facilities or systems (and related appurtenances) for collection and treatment that are installed or used by the permittee and necessary for achieving compliance with the terms and conditions of this permit in accordance with 327 IAC 5-2-8(9).

This provision does not act as an independent source of authority to set effluent limitations. Such limitations will be based on the design removal rates of installed treatment facilities only as required under this article. Nor should this provision be construed to require the operation of installed treatment facilities that are unessential for achieving compliance with the terms and conditions of the permit.

(10) Removed Substances

Solids, sludges, filter backwash, or other pollutants removed from or resulting from treatment or control of wastewaters shall be disposed of in compliance with applicable Indiana statutes and rules, including any applicable portions of 327 IAC 6.1 and 329 IAC 10.

(11) Power Failures

When a power source is used to operate wastewater treatment facilities in order to maintain compliance with the effluent limitations and prohibitions of this permit, the permittee shall either:

(a) provide an alternative power source sufficient to operate facilities utilized by the permittee to maintain compliance with the effluent limitations and conditions of this permit; or

(b) upon the reduction, loss, or failure of one or more of the primary sources of power to facilities utilized by the permittee to maintain compliance with the effluent limitations and conditions of this permit, the permittee shall halt, reduce, or otherwise control production and/or discharge in order to maintain compliance with the effluent limitations and conditions of this permit.

(12) Operator Certification

The permittee shall have the wastewater treatment facilities under the responsible charge of an operator certified by the Commissioner in a classification corresponding to the classification of the wastewater treatment plant as required by IC 13-18 and 327 IAC 5-22. In order to operate a wastewater treatment plant the operator shall have qualifications as established in 327 IAC 5-22-7.

(13) Construction Permit

The permittee shall not construct, install, or modify any water pollution control facility except in accordance with 327 IAC 3 and IC 13-14-8-11.6. Upon completion of any construction, the permittee must notify the Compliance Evaluation Section of the Office of Water Quality in writing.

(14) Containment Facilities

When cyanide or cyanogen compounds are used in any of the processes at this facility the permittee shall provide approved facilities for the containment of any losses of these compounds in accordance with the requirements of 327 IAC 2-2-1.

(B) ADDITIONAL RESPONSIBILITIES

(1) Effect of Permit Issuance

This permit does not affect any pretreatment requirements, including any standards or prohibitions, established by local ordinance of the City of Eaton.

(2) Permit Renewal

If the permittee wishes to continue an activity regulated by this permit after the expiration date of this permit, the permittee must apply for and obtain a new IWP permit. An application for an IWP permit must conform to the following:

(a) Be completed on a form prescribed by the commissioner;

(b) Be signed in accordance with 327 IAC 5-2-22(a);

(c) Be submitted to the commissioner no later than one hundred eighty (180) days prior to the expiration date of an existing permit if the industrial user intends to continue discharging to the POTW.

(3) Permit Modification

This permit may be modified in whole or in part, revoked and reissued, or terminated during its term for cause in accordance with the pertinent provisions of 327 IAC 5-2-16. The permittee must:

(a) report to the commissioner plans for or information about any activity that has occurred or will occur that would constitute cause for modification or revocation and reissuance;

(b) comply with the existing IWP permit until it is modified or reissued; and

(c) abide by the commissioner's decision:

(1) to modify or revoke and reissue the permit; and

(2) require submission of a new application as required by 327 IAC 5-21-3.

(4) Permit Transferability

(a) A permit may be transferred by the permittee to a new owner or operator only if the permit has been modified or revoked and reissued under 327 IAC 5-2-16(c)(1) or 16(e)(4), to identify the new permittee and incorporate such other requirements as may be necessary under the CWA. A permit may be transferred to another person by a permittee, without modification or revocation and reissuance being required, if the following occurs:

(1) The current permittee notifies the commissioner at least thirty (30) days in advance of the proposed transfer date.

(2) A written agreement containing a specific date for transfer of permit responsibility and coverage between the current permittee and the transferee (including acknowledgment that the existing permittee is liable for violations up to that date, and that the transferee is liable for violations from that date on) is submitted to the commissioner.

(3) The transferee certifies in writing to the commissioner intent to operate the facility without making such material and substantial alterations or additions to the facility as would significantly change the nature or quantities of pollutants discharged and thus constitute cause for permit modification under 327 IAC 5-2-16(d) . However, the commissioner may allow a temporary transfer of the permit without permit modification for good cause, e.g., to enable the transferee to purge and empty the facility's treatment system prior to making alterations, despite the transferee's intent to make such material and substantial alterations or additions to the facility.

(4) The commissioner, within thirty (30) days, does not notify the current permittee and the transferee of the intent to modify, revoke and reissue, or terminate the permit and to require that a new application be filed rather than agreeing to the transfer of the permit.

(5) Signature Requirements

(a) The reports required by Part I.C.2 of this Permit must be signed by one (1) of the following:

(1) A responsible corporate officer. As used in this subdivision, "responsible corporate officer" means:

(A) a president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation; or

(B) The manager of one (1) or more manufacturing, production, or operating facilities provided the manager is authorized to make management decisions that govern the operation of the regulated facility including having the explicit or implicit duty to make major capital investment recommendations, and initiating and directing other comprehensive measures to assure long-term environmental compliance with environmental laws and regulations; the manager can ensure that the necessary systems are established or actions taken to gather complete and accurate information for permit application requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.

(2) A general partner or proprietor or manager if the industrial user submitting the reports is a partnership or sole proprietorship, respectively.

(3) A duly authorized representative of the individual designated in either Part II.B.5(a)(1)(A) or Part II.B.5(a)(1)(B) of this permit if:

(A) the authorization is made in writing by the individual described in either Part II.B.5(a)(1)(A) or Part II.B.5(a)(1)(B) of this permit;

(B) the authorization specifies either an individual or a position having responsibility for the overall operation of the facility from which the industrial discharge originates, such as the position of plant manager, operator of a well, or well field superintendent, or a position of equivalent responsibility, or having overall responsibility for environmental matters for the company; and

(C) the written authorization is submitted to the commissioner.

(4) If an authorization under subdivision (3) is no longer accurate because a different individual or position has responsibility for the overall operation of the facility or overall responsibility for environmental matters for the company, a new authorization satisfying the requirements of subdivision (3) must be submitted to the commissioner prior to or together with any reports to be signed by an authorized representative.

(b) A report required by this section that relates to the actual operation of or discharge from a pretreatment facility must be prepared by or under the direction of a wastewater treatment plant operator certified under IC 13-18-11, if a certified operator is required.

(6) Penalties for False Reporting

In accordance with 327 IAC 5-2-8(15), Section 309(c)(4) of the Clean Water Act (U.S.C. 1319(c)(4)) provides that any person who knowingly makes any false statement, representation, or certification in any record or other document submitted or required to be maintained under this permit, including monitoring reports or reports of compliance or noncompliance shall, upon conviction, be punished by a fine of not more than ten thousand dollars ($10,000) per violation, or by imprisonment for not more than one hundred eighty (180) days per violation, or by both.

IC 13-30-10-1 provides that a person who knowingly or intentionally renders inaccurate or inoperative a recording device or a monitoring device required to be maintained by a permit issued by the department commits a class B misdemeanor.

(7) Penalties for Tampering or Falsification

In accordance with 327 IAC 5-2-8(10), Section 309(c)(4) of the Clean Water Act (33 U.S.C. 1319(c)(4)) provides that any person who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required to be maintained under a permit shall, upon conviction, be punished by a fine of not more than ten thousand dollars ($10,000) per violation, or by imprisonment for not more than one hundred eighty (180) days per violation, or by both.

IC 13-30-10-1 provides that a person who knowingly or intentionally renders inaccurate or inoperative a recording device or a monitoring device required to be maintained by a permit issued by the department commits a class B misdemeanor.

(8) Enforcement

(a) A violation of the pretreatment rules may:

(1) subject a person causing or contributing to the violation to administrative or judicial enforcement proceedings, under IC 13-30-3, and the penalties provided under IC 13-30-4;

(2) be cause for:

(A) modification;

(B) revocation and reissuance; or

(C) termination;

of the industrial wastewater pretreatment permit; and

(3) warrant the invocation of emergency procedures under IC 13-14-10.

(b) The initiation of any action in response to a violation of the pretreatment rules does not preclude initiation of any other response.

(c) A violation of the pretreatment rules includes the following:

(1) The indirect discharge of pollutants in contravention of an applicable pretreatment standard or other applicable discharge limitation.

(2) The indirect discharge of pollutants without a permit from a significant industrial discharger as determined by IDEM.

(3) A violation of discharge limitations or other terms and conditions of the permit where an IWP permit is required under the pretreatment rules.

(4) Failure to comply with any other applicable pretreatment requirement.

(5) Failure to:

(A) allow entry, inspection, and monitoring by representatives of the commissioner when requested in accordance with applicable law; or

(B) carry out monitoring, recording, and reporting required under this permit.

(d) It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of the permit.

(9) Oil and Hazardous Substance Liability

Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties to which the permittee is or may be subject under Section 311of the Act.

(10) Property Rights

The issuance of this permit does not convey any property rights in either real or personal property, or any exclusive privileges, nor does it authorize any injury to private property or any invasion of personal rights or infringement of Federal, State, or local laws or regulations.

(11) Severability

The provisions of this permit are severable and if any provision of this permit, or the application of any provision of this permit to any circumstances to held invalid, the application of such provision to other circumstances and the remainder of this permit shall not be affected thereby.

Industrial Wastewater Pretreatment (IWP)

Briefing Memo for
WestRock Converting LLC
Draft: September 2021

Indiana Department of Environmental Management

100 North Senate Avenue
Indianapolis, Indiana 46204
(317) 232-8603
Toll Free (800) 451-6027
www.idem.IN.gov

Permittee:	WestRock Converting LLC 800A South Romy Street Eaton, IN 47338
Existing Permit Information:	Permit Number: INP000720 Expiration Date: TBD
Facility Contact:	Chris Eaton, Mill Manager (765) 399-9012, chris.eaton@westrock.com
Facility Location:	800A South Romy Street Eaton, IN 47338 Delaware County
Receiving POTW:	Eaton POTW 600 East Harris Street Eaton, IN 47338 NPDES Permit # IN0021652
Proposed Action:	New Permit Date Application Received: June 4, 2021
Source Category	Industrial Pretreatment
Permit Writer:	Trisha Williams (317) 234-8210, twilliam@idem.in.gov

Table of Contents

1.0 INTRODUCTION

The Indiana Department of Environmental Management (IDEM) received an Industrial Wastewater Pretreatment (IWP) Permit application from WestRock Converting LLC on June 4, 2021. A five year permit is proposed in accordance with 327 IAC 5-2-6(a).

The Federal Water Pollution Control Act of 1972 and subsequent amendments require a National Pollutant Discharge Elimination System (NPDES) permit for the discharge of wastewater to surface waters. Furthermore, Indiana Statute 13-15-1-2 requires a permit to control or limit the discharge of any contaminants into state waters or into a publicly owned treatment works (POTW). This proposed permit action by IDEM complies with both federal and state requirements.

In accordance with Title 40 of the Code of Federal Regulations (CFR) Sections 124.7 and 124.6, as well as Indiana Administrative Code (IAC) 327 Section 5, development of a Statement of Basis, or Briefing Memo, is required for NPDES permits. This document fulfills the requirements established in those regulations.

This Briefing Memo was prepared in order to document the factors considered in the development of IWP Permit effluent limitations. The technical basis for the Briefing Memo may consist of evaluations of prohibited discharge standards, categorical pretreatment standards, existing effluent quality, and receiving POTW limitations.

2.0 GENERAL

2.1 Facility Description

The permittee is a secondary fiber non-deink facility that manufactures 100% recycled paperboard. Currently, the facility produces 185 tons of paperboard per day. Baled waste is trucked into the mill (OCC, Box Cuts, Par Cuts, News, mixed news, and DLK). These bales are loaded onto a conveyor, which is placed into one of the pulpers. In the pulper, process water is added and this material is broken down into what is called stock. Biocides and bleach are added to the system when needed to control the anaerobic conditions in the water. The stock is then transferred to a machine chest, where it is loaded into one of nine (9) vats. Polymer is added for bonding and strengthening the sheet. From the vats, a layer of stock from each vat is placed on a felt to create a sheet of paper. The paper is transferred off the felt on to a series of dryer cans, where the water is evaporated out and the sheet is dried. The paper is placed on a spool, and then transferred to the rewinder, where it is cut to the customer's size and shipped to the customer. The finished product is made mainly into partitions for packaging. The source water for the non-contact cooling water, beater room, machine room, and boiler room comes from the Mississinewa River. City or well water can also be used. The plant normally operates 24 hours/day, seven days/week.

The waste flows from the paper making process are subject to the Categorical Pretreatment Standards for Existing Source Secondary Fiber Non-Deink Subcategory operations [40 CFR 430.106].

2.2 Receiving POTW

The permittee discharges to the Town of Eaton POTW: a Class II, 0.36 MGD wastewater treatment facility consisting of a bar screen, a flow regulation valve, a grit removal chamber, a Parshall flume influent flow meter, a macerator, raw wastewater pumps, two (2) aeration basins, a flow control structure, two (2) final clarifiers, a cascade aeration structure, a chlorination and dechlorination system and an effluent flow meter. Sludge treatment includes a sludge transfer lift station, aerobic digestion and a sludge storage tank. Final sludge is hauled offsite. The POTW also serves Meridian Foods (INP000633).

The POTW discharges to the Mississinewa River (Q7,10 = 3.1 CFS).

2.3 Discharge Description

The permittee discharges wastewaters from the following sources to the POTW:

Source	Flow (GPD)
Process Wastestream #1:	**55,000** (1)
Sanitary:	**28,000**
Water Treatment Rejects:	**3,000**

(1) Process Wastestream #1 is wastewater from paper making process.

2.4 Wastewater Pretreatment

The facility is currently permitted under NPDES Permit #IN0005002. This NPDES permit will be retained and cover the discharge of non-contact cooling water and stormwater.

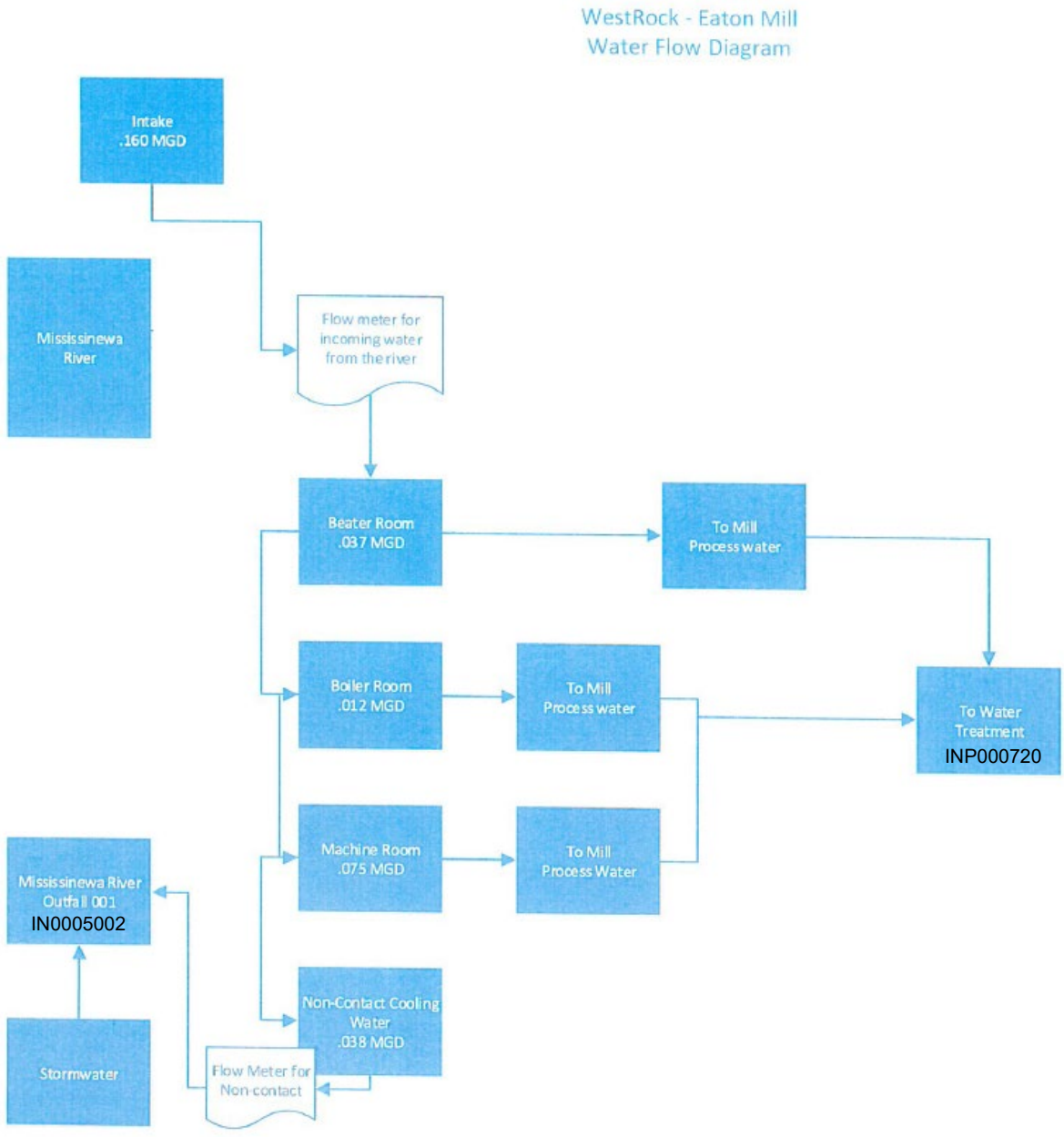
Fresh water is brought into the mill from the river, wells, or city water. This water is used in the stock prep area and/or boiler. The process water from the paper machines is sent to the wastewater treatment process. Water from the wet end of the paper making process is sent to a leveling pond (West Pond). From the West Pond, water is sent to a clarifier where the majority of the solids are removed and returned to the pulper. Water leaving the clarifier is sent to the East Pond and returned to the papermaking process. All excess water from the East Pond is fed through a three (3) pond aeration system. The water cascades through the 3 ponds (Pond #1 to Pond #3). The water from Pond #3 is returned to the process. Pond #3 currently discharges to the river via Outfall 002, as permitted in IN0005002, in the event of a heavy rainfall or when a large amount of excess water must be released from the closed loop system during mill maintenance and outage periods.

Currently, the boiler water treatment system (water softener) reject is discharged to the City of Eaton.

Under this pretreatment permit, Outfall 002 from NPDES Permit #IN0005002 will now discharge to the City of Eaton POTW via Outfall 001.

A flow diagram has been included as Figure 1:

Figure 1: Flow Diagram



The permittee shall have the wastewater treatment facilities under the responsible charge of an operator certified by the Commissioner in a classification corresponding to the classification of the wastewater treatment plant as required by IC 13-18 and 327 IAC 5-22. In order to operate a wastewater treatment plant the operator shall have qualifications as established in 327 IAC 5-22-7. Based on information supplied by the permittee, the facility is required to have a Class B Operator.

2.5 Changes in Operation

This is a new IWP permit.

3.0 PERMIT HISTORY

3.1 Compliance History

This is a new IWP permit.

4.0 PERMIT DRAFT DISCUSSION

4.1 Selection of Parameters

This permit regulates the substances and parameters in the permittee's wastewater that are subject to Categorical Pretreatment Standards for Existing Source Secondary Fiber Non-Deink Subcategory operations [40 CFR 430.106] standards. Monitoring requirements for Oil & Grease, TSS, $CBOD_5$, Ammonia (as N), Chloride, Sulfate, Fluoride, Mercury, and Boron have been carried over from NPDES Permit #IN0005002.

In 40 CFR § 430.106, the EPA established daily maximum mass-based and concentration-based ELGs for Pentachlorophenol and Trichlorophenol. Since the permittee is a non-continuous discharger, the mass-based limitations for Pentachlorophenol and Trichlorophenol will not be applied to the permit. Instead, the permittee is subject to the concentration-based limitations for Pentachlorophenol and Trichlorophenol. However, if the permittee is not using chlorophenolic-containing biocides and they certify to the IDEM that they are not using these biocides then the Pentachlorophenol and Trichlorophenol effluent limitations are not applicable. WestRock Converting Company and their biocide supplier certified that they are not using chlorophenolic-containing biocides. Therefore, the Pentachlorophenol and Trichlorophenol effluent limitations have not been applied to the pretreatment permit and 40 CFR § 430.106 is no longer applicable. IDEM shall be notified if any changes occur at this facility that would require the conditions upon which the applicability of Pentachlorophenol and Trichlorophenol technology-based effluent limitations would need to be reviewed.

4.2 Selection of Limits

The permittee's discharge must comply with Categorical Pretreatment Standards for Existing Source Secondary Fiber Non-Deink Subcategory operations [40 CFR 430.106] standards that apply at the end of process and any existing local ordinance limits that apply at the end of pipe.

The average discharge flow was calculated to ensure maintenance of a potential monthly average chloride limit for the Eaton POTW and the daily maximum discharge flow the maintenance of a potential daily maximum chloride limit. Spreadsheets that include the calculations of PELs for the Eaton POTW, flow data for the Eaton POTW and WestRock Converting LLC, the baseline sampling data for the Eaton POTW, and a calculation of the allowable discharge rate from WestRock Converting LLC for maintenance of potential chloride limits are included in Appendix A. WestRock Converting LLC chloride concentrations of 2,000 and 2,500 mg/l were used to bracket allowable discharge rates. The most conservative estimate of 0.057 MGD average monthly limit and 0.22 MGD maximum daily limit have been proposed to not overload the POTW. The WestRock facility is currently reviewing options for chloride reduction. The proposed flow limits can be re-evaluated if the facility is able to obtain significant chloride reduction.

4.3 Self-Monitoring Frequency

Self-Monitoring frequency is determined by the pollutants present in the permittees process, ratio of industrial user discharge flow to POTW flow, and discharge frequency.

To assure compliance with the limits and terms of this permit, State rules [327 IAC 5-21-9 and 10] require the permittee to: (i) monitor the final pretreated discharge at a minimum frequency; and (ii) report the results to this agency. To fulfill this requirement, the samples must be: (i) representative of the daily discharge; and (ii) collected, preserved and analyzed using U.S. EPA-approved materials and methods.

5.0 PERMIT LIMITATIONS

5.1 Summary of Limits and Basis for Each: Outfall 001

The table below summarizes the permit limits at the designated sample site Outfall 001 [1][2]. Outfall 001 is located after Pond #3 just before discharging to the POTW. Such discharge shall be limited and monitored by the permittee as specified below:

Table 1

	Discharge Limitations			Monitoring Requirements	
Parameter	Daily Maximum	Monthly Average	Unit	Measurement Frequency [5]	Sample Type [4]
Flow [6]	0.22	0.057	MGD	5 X Weekly	24-Hr. Total
Oil & Grease	Report	Report	mg/l	1 X Weekly	Grab
TSS [8]	Report	Report	mg/l	5 X Weekly	Grab
$CBOD_5$ [8]	Report	Report	mg/l	5 X Weekly	Grab
Ammonia (as N) [8]	Report	Report	mg/l	5 X Weekly	Grab
Chloride	Report	Report	mg/l	5 X Weekly	Grab
Sulfate	Report	Report	mg/l	1 X Monthly	Grab
Fluoride	Report	Report	mg/l	5 X Weekly	Grab
Mercury [3]	Report	Report	ng/l	1 X Monthly	Grab
Boron	Report	Report	mg/l	1 X Monthly	Grab

Table 2

Parameter	Daily Minimum	Daily Maximum	Unit	Measurement Frequency	Sample Type
pH [7]	6.0 [8]	9.0 [8]	s.u.	5 X Weekly	Grab

[1] Outfall 001 shall be designated as process wastewaters and contains no dilution streams.

[2] The discharge shall not exceed the local limits in the Sewer Use Ordinance upon entering the POTW.

[3] All metals shall be analyzed as Total Recoverable Metals.

[4] A “24-hour composite sample” means a sample consisting of at least 3 individual flow-proportional samples of wastewater, consisting of aliquots withdrawn throughout the 24-hour discharge period. The aliquots may be: (i) uniform aliquots withdrawn at uniform flow intervals; (ii) flow-proportional aliquots withdrawn at uniform time intervals; or (iii) for batch discharge, uniform aliquots withdrawn from uniform batch volumes. A flow-proportioned composite sample may be obtained by:

(1) recording the discharge flow rate at the time each individual sample is taken,
(2) adding together the discharge flow rates recorded from each individuals sampling time to formulate the “total flow” value,
(3) the discharge flow rate of each individual sampling time is divided by the total flow value to determine its percentage of the total flow value,

(4) then multiply the volume of the total composite sample by each individual sample's percentage to determine the volume of that individual sample which will be included in the total composite sample.

Grab samples will be allowed in lieu of 24-Hour Composites due to the brief nature of the discharge.

[5] In situations of intermittent or batch discharge, all parameters required to be monitored should be sampled during the first representative discharge occurring during the monitoring period and then reported on the appropriate state and federal forms at the end of the monitoring period.

If a representative discharge occurs at any time during the monitoring period as identified for that individual parameter, then it is a violation of this permit to not collect a sample and report those results. At the first opportunity that a representative discharge occurs during the monitoring period, it should be sampled for all the required parameters during that monitoring period. Waiting to collect a sample until the end of a monitoring period risks missing a representative sample collection opportunity, and it is considered a violation of this permit to not collect a sample, analyze and report those results, when there was a discharge for that monitoring period.

[6] Flow may be estimated by using the batch volume and number of discharges per day.

[7] If the permittee collects more than one grab sample on a given day for pH, the values shall not be averaged for reporting daily maximums or daily minimums. The permittee must report the individual minimum and the individual maximum pH value of any sample during the month on the Monthly Monitoring Report form.

[8] Based on local ordinance [Town of Eaton Ordinance No. 93-5 (adopted July 20, 1993)]. NOTE: Discharge of BOD_5 in excess of 220 mg/l, Total Suspended Solids (TSS) in excess of 220 mg/l, and Ammonia (as N) in excess of 25 mg/l may be subject to a local surcharge.

5.2 Permit Processing/Public Comment

Pursuant to IC 13-15-5-1, IDEM will publish the draft permit document online at https://www.in.gov/idem/public-notices/. Additional information on public participation can be found in the "Citizens' Guide to IDEM", available at https://www.in.gov/idem/resources/citizens-guide-to-idem/. A 30-day comment period is available to solicit input from interested parties, including the public.

Appendix A
Allowable Discharge Rate Spreadsheets

ATTACHMENT

Calculation of Preliminary Effluent Limitations for Discharges in the Non-Great Lakes System (Excluding Discharges to the Ohio River)

General Information	
Facility Name:	Eaton
County:	Delaware
NPDES Number:	IN0021652
WLA Number:	
WLA Report Date:	
Outfall:	001
Receiving Stream:	Mississinewa River

Receiving Stream Questions (Yes or No)	
Acute Mixing Zone Allowed?	No
Public Water System (PWS) Intake Downstream?	No
Industrial Water Supply (IWS) Intake Downstream?	No
Interstate Wabash River Discharge?	No
Put-and-Take Trout Fishing?	No
Fish Early Life Stages Present?	Yes

Effluent Flow	=	0.36 mgd

Receiving Stream Design Flows		
Q1,10 (Outfall)	=	2.5 cfs
Q7,10 (Outfall)	=	3.1 cfs
Q7,10 (Public Water System Intake)	=	cfs
Q7,10 (Industrial Water Supply Intake)	=	cfs
Q30,10 (Outfall)	=	3.9 cfs
Q50 (Outfall)	=	62 cfs
Q50 (Public Water System Intake)	=	cfs

Ambient Downstream Water Quality Characteristics		
Hardness (50th percentile)	=	327 mg/l
Chloride (50th percentile)	=	31 mg/l
Sulfate (50th percentile)	=	42 mg/l
pH (50th percentile)	=	s.u.
Acute Ammonia-N		
Summer pH (75th percentile)	=	s.u.
Winter pH (75th percentile)	=	s.u.
Chronic Ammonia-N		
Summer Temperature (75th percentile)	=	C
Summer pH (75th percentile)	=	s.u.
Winter Temperature (75th percentile)	=	C
Winter pH (75th percentile)	=	s.u.

Mixing Zone Dilution				
Dilution Factor (for acute mixing zone)	=			
		Dilution Fraction	**Flow**	**Location**
Chronic Aquatic Life (Except Ammonia)	=	50%	Q7,10	Outfall
Chronic Aquatic Life (Ammonia Only)	=	50%	Q30,10	Outfall
Chronic WET	=	25%	Q7,10	Outfall
Human Noncancer Drinking Water	=	100%	Q7,10	PWS Intake
Human Noncancer Nondrinking Water	=	50%	Q7,10	Outfall
Human Cancer Drinking Water	=	100%	Q50	PWS Intake
Human Cancer Nondrinking Water	=	25%	Q50	Outfall
Public Water Supply	=	100%	Q7,10	PWS Intake
Industrial Water Supply	=	100%	Q7,10	IWS Intake

Metals Translators (dissolved to total recoverable)		
	Acute	**Chronic**
Aluminum	1.000	1.000
Antimony	1.000	1.000
Arsenic	1.000	1.000
Barium	1.000	1.000
Beryllium	1.000	1.000
Cadmium	0.894	0.859
Chromium III	0.316	0.860
Cobalt	1.000	1.000
Copper	0.960	0.960
Iron	1.000	1.000
Lead	0.618	0.618
Manganese	1.000	1.000
Molybdenum	1.000	1.000
Nickel	0.998	0.997
Silver	0.85	
Strontium	1.000	1.000
Thallium	1.000	1.000
Tin	1.000	1.000
Titanium	1.000	1.000
Vanadium	1.000	1.000
Zinc	0.978	0.986

Source of Criteria [1]							Background (Outfall)	Background (Intake)	Remove Mixing Zone? (Yes or Blank)	Samples/ Month	CV	Facility Specific CV? (Yes or No)	CAS Number	Parameters[2]	Indiana Water Quality Criteria for the Non-Great Lakes System (ug/l)							Preliminary Effluent Limitations					
															A	B	C	D	E	F	G						
															Aquatic Life Criteria		Human Health Noncancer Criteria		Human Health Cancer Criteria		Add. PWS Criteria	Concentration (ug/l)[3]		Mass (lbs/day)		Criteria	
A	B	C	D	E	F	G	(ug/l)	(ug/l)							Acute (AAC)	Chronic (CAC)	Drinking (HNC-D)	Nondrinking (HNC-N)	Drinking (HCC-D)	Nondrinking (HCC-N)	(PWS)	Average	Maximum	Average	Maximum	Type [4]	Basis
5	6	8	8				36			4	0.6	No	7440428	Boron	41000	7700	4000	330000				24000	48000	72	140	Tier II	CAC
1	1					1	32000			4	0.6	No	1688706	Chloride[7][10]	717154	443225					250000	710000	1400000	2100	4200	Tier I	AAC
8	2					8	250			4	0.6	No	16984488	Fluoride	12000	2000					4000	5600	11000	17	33	Tier I	SNE
	2					1	43000			4	0.6	No	14808798	Sulfate[7][10]		1971222					250000	6000000	12000000	18000	36000	Tier I	SNE

[1] Source of Criteria
1) Indiana numeric water quality criterion in 327 IAC 2-1-6(a)(3), Table 6-1 or Table 6-2, or in 327 IAC 2-1-6(e).
2) "Shall not exceed" (SNE) criterion in 327 IAC 2-1-6(a)(3), Table 6-1 or 327 IAC 2-1-6(a)(6). This criterion is treated as a 4-day average criterion and is implemented in the same manner as the chronic aquatic life criterion.
3) Industrial water supply (IWS) criterion in 327 IAC 2-1-6(f). This criterion is treated as a 4-day average criterion and is implemented in the same manner as the chronic aquatic life criterion.
4) Acute (1-hour average) and chronic (30-day average) criteria for total ammonia nitrogen in "1999 Update of Ambient Water Quality Criteria for Ammonia," EPA-822-R-99-014, December 1999.
5) Tier I criterion derived using the methodology in 327 IAC 2-1-8.2 or 327 IAC 2-1-8.3 when the Method 1 data set is available, or using the methodology in 327 IAC 2-1-8.4, 327 IAC 2-1-8.5 or 327 IAC 2-1-8.6.
6) Tier II criterion derived using the methodology in 327 IAC 2-1-8.2 or 327 IAC 2-1-8.3 when the Method 1 data set is not available.
7) Site-specific water quality criterion (SSC) in 327 IAC 2-1-8.9, Table 8.9-1 or developed under 327 IAC 2-1-8.9.
8) Screening value (SV).
9) Numeric interpretation of narrative criterion for toxicity using U.S. EPA recommended water quality criteria for whole effluent toxicity (WET).

[2] The aquatic life criteria and screening values for all metals except mercury and selenium are in the form of dissolved metal. The aquatic life criteria for mercury and selenium are in the form of total recoverable metal.
The human health criteria and screening values and the public water supply screening values for all the metals are in the form of total recoverable metal.

[3] The preliminary effluent limitations (PELs) for the metals are in the form of total recoverable metal (with the exception of Chromium (VI) which is in the form of dissolved metal).

[4] See the table "Indiana Water Quality Criteria for the Non-Great Lakes System" for information on the type and source of criteria.

[5] The above-noted substances are probable or known human carcinogens.

[6] The above-noted substances are bioaccumulative chemicals of concern (BCCs). Beginning January 1, 2004, the water quality criteria for a BCC shall be applied directly to the undiluted discharge for all discharges of a BCC.
To apply the water quality criteria for a BCC directly to the undiluted discharge, enter "Yes" in the "Remove Mixing Zone?" column.

[7] The above noted substances have a criterion that is a function of an ambient downstream water quality characteristic. See the table "Indiana Water Quality Criteria for the Non-Great Lakes System" for information on the criterion equation.

[8] Limits based on screening values (as indicated by SV) ARE NOT to be used as water quality-based effluent limitations. These are solely to be used as preliminary effluent limitations.

[9] The monthly average PEL was set equal to the most stringent WLA because the calculated monthly average PEL exceeded the most stringent WLA and a facility-specific CV was not determined.

ATTACHMENT 3
Calculation of Background Concentrations
Data From Fixed Station MS-99

Date	Boron (ug/l)	Adjusted Boron (ug/l)	Chloride (mg/l)	Sulfate (mg/l)	Hardness (mg/l)
11/7/2012	36.8	36.8	32	54	364
12/28/2012	27.8	27.8	32	53	369
1/29/2013	18.7	18.7	29	34	242
2/20/2013	38.9	38.9	38	57	389
3/4/2013	23.2	23.2	31	47	366
4/17/2013	24.8	24.8	13	18	151
5/1/2013	30.6	30.6	25	34	335
6/6/2013	37.1	37.1	30	34	335
7/18/2013	49.5	49.5	35	50	338
8/13/2013	82.2	82.2	70	85	376
9/3/2013	60.9	60.9	40	65	368
10/10/2013	88.7	88.7	70	82	308
11/14/2013	28.4	28.4	50	55	361
12/31/2013	23.8	23.8	31	48	320
2/24/2014	<20	10	17	20	158
3/19/2014	22.5	22.5	29	52	356
4/7/2014	25.2	25.2	22	35	297
5/8/2014	38.8	38.8	30	51	330
6/24/2014	41.8	41.8	19	24	266
7/8/2014	37.5	37.5	36	43	354
8/5/2014	55.5	55.5	28	55	372
9/17/2014	42.5	42.5	28	35	322
10/21/2014	46.7	46.7	37	46	359
11/20/2014	48.2	48.2	50	61	370
12/2/2014	35.6	35.6	33	43	399
1/15/2015	31.9	31.9	48	48	399
2/10/2015	<20	10	63	24	131
3/26/2015	<20	10	26	30	258
4/28/2015	28.8	28.8	29	39	364
5/13/2015	33.5	33.5	30	39	360
6/16/2015	<20	10	21	24	292
7/28/2015	76.5	76.5	26	49	368
8/24/2015	52	52	29	56	358
9/2/2015	54.7	54.7	35	46	341
10/27/2015	65	65	42	51	349
11/18/2015	62.1	62.1	43	51	394
12/2/2015	34.8	34.8	37	44	306
1/25/2016	26.7	26.7	34	51	392
2/17/2016	38.1	38.1	31	56	383
3/28/2016	26	26	15	21	214
4/26/2016	35.3	35.3	32	44	346
5/26/2016	41.2	41.2	30	48	347
6/28/2016	46.8	46.8	31	40	321
7/25/2016	59.2	59.2	33	40	321
8/30/2016	58	58	30	42	319
9/20/2016	61	61	34	51	351
10/27/2016	45.3	45.3	36	51	433
11/29/2016	34.5	34.5	48	39	294
1/24/2017	25.3	25.3	27	40	310
2/15/2017	25	25	33	48	393
3/15/2017	24.3	24.3	34	54	393
4/25/2017	38.6	38.6	34	53	358
5/2/2017	33.4	33.4	26	35	322
6/27/2017	41.2	41.2	23	30	343
7/25/2017	45.5	45.5	17	23	280
8/8/2017	54.4	54.4	28	52	355
9/28/2017	67.9	67.9	33	60	382
10/18/2017	69.7	69.7	34	38	355
Geomean		**36**	**32**	**43**	**–**
50th %		**–**	**–**	**47**	**350**

ATTACHMENT 4
Calculation of Background Concentrations
Data from IDEM Trace Metals Sampling
Mississinewa River Downstream of Mississinewa Reservoir

Date	Fluoride (mg/l)
4/22/2002	0.22
7/8/2002	0.3
10/21/2002	0.51
1/13/2003	0.25
5/19/2003	0.19
8/18/2003	0.21
11/17/2003	0.32
2/23/2004	0.24
3/13/2006	0.17
Geomean	**0.25**

ATTACHMENT
Calculation of Background Concentrations
Data From Fixed Station MS-68
Mississinewa River at N. Walnut Street, 1 mile downstream of Eaton

Date	Boron (ug/l)	Adjusted Boron (ug/l)
11/7/2012	36.9	36.9
12/28/2012	27	27
1/29/2013	19.9	19.9
2/20/2013	31	31
3/4/2013	20.6	20.6
4/17/2013	23.7	23.7
5/1/2013	28.6	28.6
6/6/2013	36.9	36.9
7/18/2013	47.7	47.7
8/13/2013	66	66
9/3/2013	56.4	56.4
10/10/2013	55.4	55.4
11/14/2013	28.1	28.1
12/31/2013	23.8	23.8
2/24/2014	<20	10
3/19/2014	24.2	24.2
4/7/2014	27.7	27.7
5/8/2014	37.4	37.4
6/24/2014	46.8	46.8
7/8/2014	34.5	34.5
8/5/2014	48.4	48.4
9/17/2014	54.1	54.1
10/21/2014	49.5	49.5
11/20/2014	59.2	59.2
12/2/2014	35.2	35.2
2/10/2015	<20	10
3/26/2015	20.1	20.1
4/28/2015	32.3	32.3
5/13/2015	34.9	34.9
6/16/2015	<20	10
7/28/2015	42.8	42.8
8/24/2015	50.2	50.2
9/2/2015	55.2	55.2
10/27/2015	66.6	66.6
11/18/2015	59.5	59.5
12/2/2015	35.4	35.4
1/25/2016	24.8	24.8
2/17/2016	36.6	36.6
3/28/2016	<20	10
4/26/2016	36.3	36.3
5/26/2016	38	38
6/28/2016	47.4	47.4
7/25/2016	58	58
8/30/2016	47.6	47.6
9/20/2016	54.2	54.2
10/27/2016	41.8	41.8
11/29/2016	27.6	27.6
12/20/2016	36.6	36.6
1/24/2017	32.6	32.6
2/15/2017	23.5	23.5
3/15/2017	23.4	23.4
4/25/2017	38	38
5/2/2017	30	30
6/27/2017	38.9	38.9
7/25/2017	38.6	38.6
8/8/2017	53.3	53.3
9/28/2017	63.6	63.6
10/18/2017	59.3	59.3
Geomean		**35**

ATTACHMENT 7
Calculation of Water Quality Characteristics
Data From Fixed Station MS-68
Mississinewa River at N. Walnut Street, 1 mile downstream of

Date	Hardness (mg/l)	Chloride (mg/l)	Sulfate (mg/l)
11/7/2012	360	32	53
12/28/2012	374	31	50
1/29/2013	239	31	36
2/20/2013	389	34	48
3/4/2013	314	30	40
4/17/2013	142	16	18
5/1/2013	273	24	29
6/6/2013	362	31	34
7/18/2013	376	37	50
8/13/2013	345	55	56
9/3/2013	348	44	55
10/10/2013	258	34	45
11/14/2013	353	49	50
12/31/2013	318	31	51
2/24/2014	146	14	17
3/19/2014	333	27	38
4/7/2014	254	20	27
5/8/2014	322	29	50
6/24/2014	270	19	22
7/8/2014	355	30	48
8/5/2014	306	39	49
9/17/2014	325	28	36
10/21/2014	361	37	43
11/20/2014	377	50	57
12/2/2014	374	32	46
2/10/2015	218	64	24
3/26/2015	257	26	31
4/28/2015	302	24	28
5/13/2015	333	26	32
6/16/2015	181	15	54
7/28/2015	362	23	38
8/24/2015	328	25	39
9/2/2015	359	36	52
10/27/2015	364	42	60
11/18/2015	321	43	51
12/2/2015	303	37	44
1/25/2016	362	31	50
2/17/2016	374	32	50
3/28/2016	188	9	10
4/26/2016	335	30	40
5/26/2016	344	31	42
6/28/2016	256	24	31
7/25/2016	308	35	46
8/30/2016	185	16	22
9/20/2016	266	28	34
10/27/2016	377	32	40
11/29/2016	262	33	32
12/20/2016	437	42	54
1/24/2017	311	26	37
2/15/2017	324	30	37
3/15/2017	391	30	47
4/25/2017	340	31	48
5/2/2017	224	23	23
6/27/2017	286	17	24
7/25/2017	175	10	15
8/8/2017	338	27	42
9/28/2017	336	40	49
10/18/2017	343	31	46
50th %	**327**	**31**	**42**

WestRock (IN0005002) ECHO Data

Month	Flow (mgd) Average	Flow (mgd) Maximum	Flow (mgd) Total	Chloride (mg/l) Average	Chloride (mg/l) Maximum	Boron (mg/l) Average	Boron (mg/l) Maximum	Fluoride (mg/l) Average	Fluoride (mg/l) Maximum	Mercury (ng/l) Maximum	BOD5 (mg/l) Average	BOD5 (mg/l) Maximum
9/30/2016												
10/31/2016												
11/30/2016												
12/31/2016												
1/31/2017	0.0188	0.0188									154.5	192
2/28/2017												
3/31/2017												
4/30/2017												
5/31/2017	0.1575	0.1575									78.67	84
6/30/2017												
7/31/2017												
8/31/2017												
9/30/2017												
10/31/2017												
11/30/2017												
12/31/2017												
1/31/2018												
2/28/2018	0.0325	0.0432								76.9	374	574
3/31/2018												
4/30/2018	0.1652	0.1652	1.9824							42	347	649
5/31/2018												
6/30/2018												
7/31/2018												
8/31/2018												
9/30/2018												
10/31/2018												
11/30/2018												
12/31/2018												
1/31/2019	0.792	0.792	1.584	2375	2380		11.3	1	1	7.52	233	270
2/28/2019												
3/31/2019	0.044	0.072	0.792	2300.56	2490		11.9	1	1	90.8	882	1130
4/30/2019	0.10627	0.6768	3.1881	1600	2120		4.77	1	1	120	430	489
5/31/2019												
6/30/2019												
7/31/2019	0.0621	0.267994	1.924888	2227	2290		10.3	1	1	8.47	20.6	46
8/31/2019												
9/30/2019												
10/31/2019												
11/30/2019												
12/31/2019												
1/31/2020												
2/29/2020												
3/31/2020												
4/30/2020												
5/31/2020												
6/30/2020												
7/31/2020												
8/31/2020	0.02224484	0.149535	0.68959	2528	2610		18.6	0.966	1.53	16	15.48	23.3
9/30/2020												
10/31/2020												
11/30/2020												
12/31/2020												
1/31/2021												
2/28/2021	0.00136775	0.01296	0.038297	1970	2050		17.4	0.11	0.12	7.43	551	567
3/31/2021	0.05047706	0.732196	1.564789	1574.375	1760		18.5	1.01125	5.71	5.53	689.19	1260
4/30/2021												
5/31/2021	0.03583819	0.07776	1.110984	1792	1870		1.65	3.06	3.27	52	78.17	110
6/30/2021	0.04481363	0.104156	1.344409	2009	2270		20.9	7.44	35.2	41.5	85.6	126
7/31/2021												

Eaton (IN0021652) ECHO Data

Date	Flow (mgd) Average	
9/30/2016	0.17	
10/31/2016	0.1805	
11/30/2016	0.2232	
12/31/2016	0.2649	
1/31/2017	0.4388	* WestRock discharge to river
2/28/2017	0.3467	
3/31/2017	0.4629	
4/30/2017	0.5088	
5/31/2017	0.5988	* WestRock discharge to river
6/30/2017	0.3684	
7/31/2017	0.3867	
8/31/2017	0.2399	
9/30/2017	0.2155	
10/31/2017	0.3055	
11/30/2017	0.4067	
12/31/2017	0.2592	
1/31/2018	0.3406	
2/28/2018	0.396	* WestRock discharge to river
3/31/2018	0.4378	
4/30/2018	0.4746	* WestRock discharge to river
5/31/2018	0.225	
6/30/2018	0.2724	
7/31/2018	0.2567	
8/31/2018	0.3858	
9/30/2018	0.4104	
10/31/2018	0.3081	
11/30/2018	0.4594	
12/31/2018	0.4436	
1/31/2019	0.3798	* WestRock discharge to river
2/28/2019	0.5026	
3/31/2019	0.4786	* WestRock discharge to river
4/30/2019	0.6523	* WestRock discharge to river
5/31/2019	0.3668	
6/30/2019	0.3193	
7/31/2019	0.2188	* WestRock discharge to river
8/31/2019	0.1876	
9/30/2019	0.163	
10/31/2019	0.1738	
11/30/2019	0.2045	
12/31/2019	0.2991	
1/31/2020	0.5283	
2/29/2020	0.5779	
3/31/2020	0.6853	
4/30/2020	0.3682	
5/31/2020	0.2387	
6/30/2020	0.1177	
7/31/2020	0.1059	
8/31/2020	0.1494	* WestRock discharge to river
9/30/2020	0.1158	

10/31/2020	0.1728	
11/30/2020	0.2097	
12/31/2020	0.173	
1/31/2021	0.2515	
2/28/2021	0.281	* WestRock discharge to river
3/31/2021	0.3708	* WestRock discharge to river
4/30/2021	0.2732	
5/31/2021	0.3575	* WestRock discharge to river
6/30/2021	0.2242	* WestRock discharge to river
7/31/2021	0.2791	

Baseline Sampling Data for Eaton (IN0021652)

	Flow (mgd)	Boron (mg/l)			Chloride (mg/l)			Sulfate (mg/l)		
Date	Daily	Daily	Adjusted Daily	Monthly Average	Daily	Daily (lbs/day)	Monthly Average	Daily	Adjusted Daily	Monthly Average
7/30/2021	0.216	0.13			590	1063		59.7		
8/6/2021	0.1657	0.14			210	290		58.5		
8/13/2021	0.1959	0.15			192	314		64.8		
8/20/2021	0.1634	0.13		0.14	172	235	291	64.8		62.0